MAP-Penn Conference on Philosophy of Disability and Illness

**Philosophy’s exclusions: Profound intellectual disability and basic equality of human moral standing**

**Abstract** (word count 704):

Many philosophical accounts of the grounds for moral status seek to defend both basic equality of human moral standing and humans’ distinctive standing over other living beings. The grounds for moral standing are typically some sort of status-conferring attribute like rationality, self-consciousness, or linguistic capabilities, each of which are individualized capacities of mind assessed in isolation of others. However, the majority of these accounts fail extensionally in either including certain non-human animals, or in excluding certain human beings, with those exclusions most commonly being people with profound intellectual disabilities (PID/PIDs).

In the first half of this talk, I consider one option to amend extensional inadequacies. Here, we keep static the status-conferring attributes deemed morally relevant and accept that this may mean we must include non-human animals within the category of basic or full moral status. Peter Singer famously presents a graduated view of human moral standing where the attributes of mind that matter are sentience and rationality, possession of which grants partial or higher moral standing. Certain higher-order non-human animals lacking full rational capacities have some moral standing, and humans with similar attributes of mind have the same status as those non-human animals. Singer thus presents a philosophical package where (1) the question of what we owe one another is a matter of equality or inequality of particular capacities assessed at an individual level; (2) those with PID are a kind of being who have lesser cognitive capacities; and (3), therefore those with PID are not morally equal to non-PID human beings in a way that matters to how we treat PID persons. Singer takes for granted (2), assuming that PID *just is* a lack of those attributes that morally distinguish non-intellectually disabled human beings from other forms of life.

I argue that, given all that we do not know about the inner lives of those with PID, perhaps it is a mistake to begin with and hold evidentially fixed hypotheses about the capabilities of different types of people. Further, even if (2) were correct, we would not necessarily arrive at (3).

In the second half of this talk, I consider an alternative tack in which, taking feminist philosophical thought as our lead, we seek a *relational* capacity to ground moral status. My goal is to avoid the reprehensible conclusion (with horrific historical implications) of excluding those with PID from the category of full human moral standing. The proposal is to locate an alternative view of the grounds for moral status in which (1) is false, and therefore, (3) does not follow. I assess the attractive views of Eva Feder Kittay (who proposes care, dependency, and being some mother’s child as the grounds for moral standing), and Agnieszka Jaworska and Julie Tenenbaum (who suggest person-rearing capacities), ultimately finding their views to have shortcomings. Each view is one-directional, and such one-directionality cannot explain the equality between persons with dramatically different capabilities and capacities.

I end with my positive view. I defend a view of basic equality of moral standing in which equality is not a matter of possessing particular attributes assessed at an individual level, but rather of relational capacities to come to know one another that *presuppose* *the very same capacity* in others. Equality of moral standing is a matter of sharing a nature, where the nature of each person presupposes the like nature of the other. The shared nature at stake is nature of one possessing the ability to communicate in order to form and deepen relationships. The sort of communication I propose (and illustrate via example in pairs of PID and non-PID persons) does not require natural language to get off the ground. It can be verbal or non-verbal, informational or purely phatic. Beyond this, my view is unique in refusing to see any given episode of communication as a means to the distinguishable outcome of a valuable relationship; rather, I blur the means/ends distinction by insisting the relationship is what we use to produce the outcome of the relationship. Employing what I call relationship-constituted and constituting meaningful expressions allows individuals to draw upon the same communicative toolbox to engage in the shared activity, despite dramatic asymmetries in communicative modes or intellectual capacities. I thus include all human lives within the category of full moral status. I close with reflections on the implications of my view for non-human animal lives.